CF 100

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G.)

W.P. No. 1201 /2003

PETITIONER : Ram Prasad Basod S/o.Dhani Ram R/o.Village-Charoda, Block-Palari, Baloda Bazar, Distt- Raipur(C.G.)

Versus

RESPONDENTS : (1) State of Chhattisgarh

Through :

(2) The Secretary of Panchayat and Gramin Vikas, D.K.Bhawan Raipur (C.G.)

(2) S.D.O. (Revenue) Baloda-Bazar, Distt- Raipur

(3) The Tahsildar, Palari, Distt- Raipur.

(4) Chief Executive Officer, Janpad Panchayat, Palari Distt- Raipur

P.R. No. 1 to 03
Presented by Shri M.V. Ponnuraj
dated 10/1/03

RECEIVED COPY.
10-1-03
CLERK TO A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA :

XI-HC-22

(34)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 1201/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.12.2003

Shri Manoj Paranjpe, Advocate for the petitioner.

Shri S.P. Bhadaria, Govt. Advocate for the State.

Heard.

Learned Counsel for the petitioner submitted that the appeal preferred by the petitioner before the Collector has been disposed of by order Annexure P/1 dated 02.12.2002 on the ground that certified copy of the order was not filed. Counsel submitted that certified copy of the order was not filed by the counsel. He relied on *Rafiq and another vs. Munshilal and another (AIR 1981 SC 1400)* to state that a party should not suffer for a mistake of counsel.

Having considered the facts and circumstances of the case and material on record and in view of the decision in *Rafiq and another (supra)* in the opinion of this Court, a party should not suffer because of mistake of the counsel.

Having considered the facts and circumstances of the case and material on record, it is directed that the appeal shall

[पीछे देखिये

(35)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1201/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

now be decided on merit by the Collector after noticing the parties in accordance with law expeditiously.

With this obscrvation this pctition stands disposcd of.

In view of the above order M.W.P.No.1085/2003, I.A.No.3374/2003 and I.A.No.9789/2003 also sand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge